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Establishment of an international criminal court

Draft resolution submitted by the Bureau

Establishment of an international criminal court

The General Assembly,

Recalling its resolutions 47/33 of 25 November 1992, 48/31 of 9 December 1993, 49/53 of 9 December 1994, 50/46 of 11 December 1995 and 51/207 of 17 December 1996,

Also recalling its resolution 52/160 of 15 December 1997, in which it decided to hold the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court in Rome from 15 June to 17 July 1998,

Expressing satisfaction at the completion of the mandate of that resolution, the adoption of the Rome Statute of the International Criminal Court,[1] at the Headquarters of the Food and Agriculture Organization of the United Nations in Rome on 17 July 1998, and taking note of the opening for signature of the Statute in Rome on 17 July 1998 until 17 October 1998, and thereafter in New York at United Nations Headquarters until 31 December 2000, and also taking note of the Final Act of the Conference done at Rome on 17 July 1998,[1]

Noting that a significant and growing number of States have signed the Rome Statute,

Emphasizing the need to make the necessary arrangements for the commencement of the functions of the Court in order to ensure its effective operation,

Noting in particular that the Conference decided to establish a Preparatory Commission for the Court, consisting of representatives of States that have signed the Final Act of the Conference and other States that were invited to participate in the Conference,

Also noting that the Conference requested the Secretary-General of the United Nations to convene the Preparatory Commission at United Nations Headquarters in New York as early as possible at a date to be decided by the General Assembly,

[1] See A/CONF.183/9.

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Recalling the mandate of the Preparatory Commission with regard to the preparation of proposals for practical arrangements for the establishment and coming into operation of the Court, including before 30 June 2000 the finalization of the draft texts of the rules of procedures and evidence and of the elements of crimes,

Recognizing the need for making available adequate resources and secretariat services to the Preparatory Commission in order to enable it to discharge its functions efficiently and expeditiously,

1. *Acknowledges* the historic significance of the adoption of the Rome Statute of the International Criminal Court;[1]

2. *Expresses its deep appreciation and gratitude* to the Government of Italy for hosting the Conference in Rome;

3. *Calls upon* all States to consider signing and ratifying the Rome Statute, and encourages efforts aimed at promoting awareness of the results of the Conference and of the provisions of the Rome Statute;

4. *Requests* the Secretary-General to convene the Preparatory Commission to meet, in accordance with resolution F adopted by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court,[1] in order to perform the mandate of that resolution, and in that connection to discuss ways to enhance the effectiveness and acceptance of the Court, from __ to __ March 1999 (three weeks), __ July to __ August 1999 (three weeks) and __ November to __ December 1999 (two weeks);

5. *Also requests* the Secretary-General to make available to the Preparatory Commission secretariat services, including the preparation of working documents if so requested by the Preparatory Commission, to enable it to perform its functions;

6. *Requests* the Secretary-General to invite, as observers to the Preparatory Commission, representatives of organizations and other entities that have received a standing invitation from the General Assembly pursuant to its relevant resolutions[2] to participate, in the capacity of observers, in its sessions and work, and also to invite, as observers to the Preparatory Commission, representatives of interested regional intergovernmental organizations and other interested international bodies, including the International Tribunals for former Yugoslavia and Rwanda;

7. *Notes* that non-governmental organizations may participate in the work of the Preparatory Commission, including attending its plenary and its other open meetings in accordance with the rules of procedure to be adopted by the Commission, receiving copies of the official documents and making available their materials to delegates;

8. *Requests* the Secretary-General to take steps in order to expand the mandate of the trust fund established in Assembly resolution 51/207 for voluntary contributions towards meeting the cost of participation in the work of the Preparatory Commission of the least developed countries, and encourages States to contribute voluntarily to this trust fund;

9. *Further requests* the Secretary-General to take steps to expand the mandate of the trust fund established in Assembly resolution 52/160 for voluntary contributions towards meeting the cost of participation in the work of the Preparatory Commission of those

[2] Resolutions 253 (III), 477 (V), 2011 (XX), 3208 (XXIX), 3237 (XXIX), 3369 (XXX), 31/3, 33/18, 35/2, 35/3, 36/4, 42/10, 43/6, 44/6, 45/6, 46/8, 47/4, 48/2, 48/3, 48/4, 48/5, 48/237, 48/265, 49/1, 49/2, 50/2, 51/1, 51/6, 51/204 and 52/6.

developing countries not covered by the trust fund referred to in paragraph 8, and invites States to contribute voluntarily to this trust fund;

10. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution;

11. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled: "Establishment of the International Criminal Court".